

-1- FILED 8/7/2

JULY 21 2018

CLARK, U.S. DISTRICT JUDGE  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8664

Plaintiff, ) COMPLAINT FOR VIOLATION OF

) 31 U.S.C. § 853 and 860

v. ) 21 U.S.C. § 952 and 960  
 ) Importation of a Controlled  
IRAMONTES-Pesqueria, ) Substance (Felony)

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The undersigned complainant being duly sworn states:

13 That on or about July 19, 2008, within the Southern District  
14 of California, defendant Ignacio MIRAMONTES-Pesqueira did knowingly  
15 and intentionally import approximately 29.08 kilograms (63.97  
16 pounds) of marijuana, a Schedule I Controlled Substance, into the  
17 United States from a place outside thereof, in violation of Title  
18 21, United States Code, Sections 952 and 960.

19 The complainant states that this complaint is based on the  
20 attached Statement of Facts incorporated herein by reference.

Hugo A. Leon

Special Agent  
U. S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21<sup>ST</sup>  
DAY OF JULY 2008.

PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 V.

3 Ignacio MIRAMONTES-Pesqueira

4 **PROBABLE CAUSE STATEMENT**

5 I, Special Agent Lance Swanson, declare under penalty of perjury, the following  
6 is true and correct:

7 On July 19, 2008 at approximately 1426 hours, Ignacio MIRAMONTES-  
8 Pesqueira entered the United States at the Calexico, California, West Port of Entry.  
9 MIRAMONTES was the sole occupant driver and owner of a 1999 Chevy Lumina.

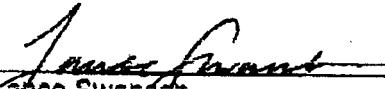
10 During the primary inspection Customs and Border Protection Officer (CBPO) D.  
11 Torres received a negative Customs Declaration from MIRAMONTES. MIRAMONTES  
12 identified himself as a United States Citizen using a California identification and birth  
13 certificate. MIRAMONTES told the officer that he was the owner of the vehicle, and had  
14 owned it for several months.

15 While inspecting the vehicle, CBPO D. Torres noticed that MIRAMONTES was  
16 wearing dark sunglasses and appeared to be avoiding eye contact. When asked to  
17 open the trunk by CBPO D. Torres, MIRAMONTES opened the glove box to look for the  
18 trunk switch, but found there was no such switch. MIRAMONTES then checked the  
19 driver's side floorboard area for the switch and again did not find one. MIRAMONTES  
20 finally took the keys out of the ignition and opened the trunk. CBPO D. Torres asked  
21 MIRAMONTES from whom he bought the vehicle. MIRAMONTES replied a friend  
22 name Carlos, but did not know a last name. CBPO D. Torres also noticed a new lining  
23 material under the dashboard that was out of place. CBPO D. Torres escorted  
24 MIRAMONTES and the vehicle to secondary inspection.

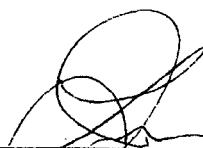
1 In the vehicle secondary lot, CBP K-9 Officer S. Barela was asked to screen the  
2 vehicle with his Narcotics Detection Dog (NDD). CBP K-9 Officer K. S. Barela received  
3 an alert from his NDD on the front bumper of the vehicle.

4 Upon further inspection, CBPO D. Torres discovered twenty-eight (28) packages  
5 concealed in both front fenders of the vehicle. One of the packages was probed and a  
6 sample of a green leafy substance was obtained, which field tested positive for  
7 marijuana. The 28 packages had a combined net weight of approximately 29.08  
8 kilograms (63.97 pounds).

9  
10 Executed on 07/19/08 @ 7:31 pm

11  
12  
13   
14 Lance Swanson  
15 Special Agent

16 On the basis of the facts presented in the probable cause statement consisting  
17 of 2 pages, I find probable cause to believe that the defendant named in this probable  
18 cause statement committed the offense on July 19, 2008 in violation of Title 21, United  
19 States Code, Sections 952 & 960.

20  
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22 \_\_\_\_\_  
23 United States Magistrate Judge  
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27  
28  
29

07/20/08 - 1125AM  
Date/Time